

PTO/SB/21 (09-04)

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/688,299
	Filing Date	October 16, 2003
	First Named Inventor	Finn, John
	Art Unit	1636
	Examiner Name	Akhavan, Ramin
	Attorney Docket Number	020801-000320US
Total Number of Pages in This Submission		

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement with PTO/SB/08A-B  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Cited References B2-B4; Copy of corresponding PCT Search Report issued March 16, 2005; Return Postcard
Remarks		The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

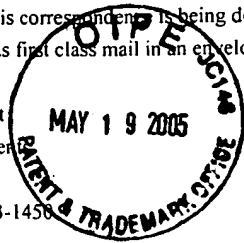
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Townsend and Townsend and Crew LLP		
Signature			
Printed name	Carol A. Fang		
Date	5/17/05	Reg. No.	48,631

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Typed or printed name	Anna C. Kundel	Date	May 17, 2005

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On May 17, 2005

TOWNSEND and TOWNSEND and CREW LLP

By: [Signature]  
Anna C. Kundel

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

FINN and MacLACHLAN

Application No.: 10/688,299

Filed: October 16, 2003

For: AUTOGENE NUCLEIC ACIDS  
ENCODING A SECRETABLE RNA  
POLYMERASE

Examiner: Akhavan, Ramin

Art Unit: 1636

SUPPLEMENTAL INFORMATION  
DISCLOSURE STATEMENT UNDER 37  
CFR §1.97 and §1.98

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. Copies of the references [excluding cited U.S. Patents, U.S. Patent Application publications, and appropriate IFW-stored, pending U.S. Patent Applications and portions thereof, per 1287 OG 163] are enclosed. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

Also enclosed is a copy of the Search/Examination report corresponding to the PCT application. The following references are not included on the attached IDS as they were previously disclosed to the U.S. Patent Office in our first IDS mailed February 13, 2004, for the above-referenced application:

WO 97/41243, published November 6, 1997, for the University of Pittsburgh

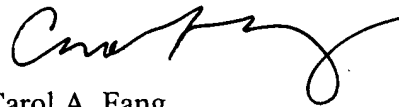
BRISSON, M., et al., "A novel T7 RNA polymerase autogene for efficient cytoplasmic expression of target genes." Gene Ther. 1999, Vol. 6, No. 2, pgs. 263-270.

CHEN, X., et al., "A self-initiating eukaryotic transient gene expression system based on cotransfection of bacteriophage T7 RNA polymerase and DNA vectors containing a T7 autogene," Nucleic Acids Res., 1994, Vol. 22, No. 11, pgs. 2114-2120.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

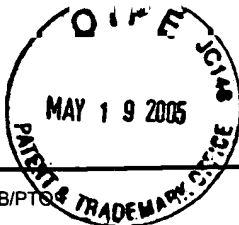
Applicant believes that no fee is required for submission of this statement. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,



Carol A. Fang  
Reg. No. 48,631

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, Eighth Floor  
San Francisco, California 94111-3834  
Tel: 415-576-0200  
Fax: 415-576-0300  
CAF:ack  
60493244 v1



<b>Substitute for form 1449A&amp;B/PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)		<b>Complete if Known</b>			
		Application Number	10/688,299		
		Filing Date	October 16, 2003		
		First Named Inventor	Finn, John		
		Art Unit	Not yet assigned		
		Examiner Name	Not yet assigned		
Sheet	1	of	1	Attorney Docket Number	020801-000320US

U.S. PATENT DOCUMENTS+					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code <sup>2</sup> (if known)			
	B1	US-6,586,410 B1	07-01-2003	Jeffery Wheeler, et al.	
		US-			
		US-			

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
	B2	WO	02/088370	A2	11-07-2002	Protiva Biotherapeutics		<input type="checkbox"/>
								<input type="checkbox"/>
								<input type="checkbox"/>

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	B3	FINN, J., <i>et al.</i> , "An enhanced autogene-based dual-promoter cytoplasmic expression system yields increased gene expression," <i>Gene Therapy</i> , 2004, Vol. 11, pp. 276-283.	
	B4	LI, J., <i>et al.</i> , "Murine tyrosinase expressed by a T7 vector in bone marrow-derived dendritic progenitors effectively prevents and eradicates melanoma tumors in mice," <i>Cancer Gene Therapy</i> , 2000, Vol. 7, No. 11, pp. 1448-1455.	

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered; whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.